HIGH COURT OF UTTARANCHAL AT NAINITAL

A.O. No. 698 of 2001
(Old No. 557 of 1987)

State ..... Appellant

Versus

Smt. Parwati Devi ..... Respondents

Dated: 19.8.2004

Hon. Rajesh Tandon J.

File has been transferred from Allahabad High Court.

Heard Standing Counsel for the appellant. None appears for the respondent.

Present appeal has been filed against the judgment and order dated 17.6.1987, passed by the District Magistrate/Commissioner Workman Compensation, Pauri Garhwal in claim petition no. 5 of 1982, Smt. Parwati Devi vs. State of U.P. and another.

Briefly stated the respondent Smt. Parwati Devi filed a claim Petition before the Commissioner, Workman Compensation Act, on account of death of her husband Thepar Singh, who sustained fatal injury during his employment with the District Soil Conservation Department, Pauri Garhwal and died on 25.1.1982. The deceased was earning Rs.8/- per day.

The Commissioner has considered the entire facts and has come to the conclusion that the deceased was a daily wager

under the employment of Soil Conservation Department and was getting wages @ Rs.240/- per month. The Workman Compensation Commissioner has calculated the compensation on the basis of scheduled provided under Workman's compensation Act, 1976 and awarded compensation of Rs.18,000/- to the respondent.

I find no illegality and infirmity in the order passed by the Commissioner. The appeal lacks merit and is hereby dismissed with costs.

(Rajesh Tandon J.)

19.8.2004

*Dhyani